GOVERNMENT OF INDIA
NEW AND RENEWABLE ENERGY
LOK SABHA

UNSTARRED QUESTION NO:3121
ANSWERED ON:17.12.2015
Dispute over Solar Power with US
Galla Shri Jayadev;Kesineni Shri Srinivas

Will the Minister of NEW AND RENEWABLE ENERGY be pleased to state:

(a) whether any dispute has arisen between India and US before the WTO on solar issue;
(b) if so, the details thereof;
(c) the reasons of US filing a case against India alongwith the time of its filing and the stand taken by the Government in this regard;
(d) whether WTO has given its ruling against the country, if so, the details thereof; and
(e) whether the WTO ruling against the country will adversely impact Indian manufacturers, if so, the details thereof alongwith the remedial steps being taken by the Government in this regard?

Answer

THE MINISTER OF STATE FOR POWER, COAL & NEW AND RENEWABLE ENERGY (INDEPENDENT CHARGE) (SHRI PIYUSH GOYAL)

(a)&(b): Yes, Madam. The United States (US) has filed a dispute case (DS456) under the WTO Dispute Settlement Mechanism, about the Domestic Content Requirement (DCR) condition on procurement of solar cells and modules under Phase I and Batch I of Phase II of the Jawaharlal Nehru National Solar Mission (JNNSM) Program.
(c): The US has alleged that such DCR condition are inconsistent with certain provisions of the WTO Agreement. Government of India has defended the case before the Panel basing its arguments primarily on the coverage of Government Procurement derogation clause under the National Treatment Principle and the exceptions allowed under Article XX of GATT, 1994.
(d): The final Panel report has not yet been published by the WTO
(e): Does not arise.
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